

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

INDECK KEYSTONE ENERGY LLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-325 Erie
)	
VICTORY ENERGY OPERATIONS)	Judge Sean J. McLaughlin
LLC,)	
)	
Defendant)	

ORDER

AND NOW, this _____ day of May, 2007, the *Defendant's Motion In Limine To Bar Evidence Relating to IKE's Unexpressed Intent* is granted and this Court hereby orders that Plaintiff is barred from introducing evidence or argument regarding the any intent by IKE employees to limit the scope of the License Agreement to exclude boilers that incorporated membrane wall technology where such limitation was never expressed to VEO and is further barred from introducing evidence or argument that IKE modeled the License Agreement upon a different license agreement that included the phrase "but not limited to" in its definition of Products.

Sean J. McLaughlin
United States District Judge